

DAVID K. BERTAN
ATTORNEY AT LAW
41 EAST 11TH STREET, 11TH FLOOR
NEW YORK, NEW YORK 10003

(718) 742-1688
E-MAIL: DBERTAN@YAHOO.COM

MEMO ENDORSEMENT.

The motion to modify Mr. Johnson's detention status is denied but the United States Attorney is directed to work with the United States Marshals Service and the Warden of Essex County Correctional Facility to ensure that Mr. Johnson is able to remotely attend by video and audio his sister's funeral service and to report no later than June 7, 2023, on any obstacles to securing such remote attendance.


June 5, 2023

Via ECF

Hon. Lewis J. Liman, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: USA v. Perez (Nicholas Johnson)
23-cr-99 (LJL)

6/6/2023 SO ORDERED.


LEWIS J. LIMAN
United States District Judge


Dear Judge Liman:

I represent Mr. Johnson in the above matter. Last Sunday, May 28, his sister passed away. The service and burial will be held this Friday, June 9, starting at 10:30 AM at McCall's Funeral Home in the Bronx. I am respectfully requesting that Mr. Johnson's detention status¹ be modified to permit him to attend the funeral service. The Government has objected to this request. A copy of the announcement is attached as an exhibit.

In the event the Court denies this request, I am also requesting that the Court order both the United States Marshals Service and the Warden of the Essex County Correctional Facility to ensure that Mr. Johnson is able to remotely attend, by video and audio, the funeral service. The Government had no objection to this request, and has agreed to assist in facilitating the video conference.

Thank you in advance for your consideration.

Very truly yours,


David K. Bertan

¹ Mr. Johnson has been detained on consent without prejudice since his presentment on February 23, 2023.